REMARKS

Claims 1-32 have been canceled. Claims 33-45, 48, 51 and 53-55 have been amended. Claims 33-55 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 101 Rejections:

The Office Action rejected claims 33-55 under 35 U.S.C. § 101 as allegedly not directed to statutory subject matter. Applicants respectfully request withdrawal of these rejection in view of the above amendments.

Section 103(a) Rejections:

The Office Action rejected claims 45, 46 and 48 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Culliss (U.S. Patent 6,539,377) in view of Machiraju et al. (U.S. Patent 6,243,090), claims 53 and 54 as being unpatentable over Culliss (U.S. Patent 6,539,377) in view of Warthen (U.S. Patent 5,584,464), claims 33-37, 39-44, 51, 52 and 55 as being unpatentable over Culliss in view of Suzuki et al. (U.S. Patent 5,890,139) (hereinafter "Suzuki") and further in view of Machiraju, claim 47 as being unpatentable over Culliss in view of Machiraju in further in view of Suzuki, claims 49 and 50 as being unpatentable over Culliss in view of Machiraju in further in view of Warner et al. (U.S. Patent 6,665,655) (hereinafter "Warner"), and claim 38 a being unpatentable over Culliss, Suzuki and Machiraju in view of Manduley et al. (U.S. Patent 6,768,790) (hereinafter "Manduley"). Applicants respectfully traverse these rejections for at least the reasons below.

In regard to claim 33, the cited art fails to teach or suggest *receiving a question from a computer executed application, wherein the question pertains to the use of a particular website or particular information source of a content provider and in response to receiving the question, identifying an operational context in which the*

question is submitted ... wherein the operational context comprises one or more of: a location, within the particular website or particular information source, from which the question is submitted and information about a system from which the question is submitted.

Note that Applicants' claim recites identifying a **context** in which a **question is submitted**, wherein the context comprises one or more of a **location from which the question is submitted** and information about a **system from which the question is submitted**. The Examiner cites col. 3, lines 30-35 of Culliss which recite, in pertinent part, "[p]ersonal activity data includes data about past actions of the **user**." (emphasis added). Culliss explicitly describes determining **personal** interest data and **personal** activity data for a **user**. The personal data of Culliss is clearly determined by the interests and activities of a **user**. In contrast to Culliss, Applicants' claim recites identifying a **context in which a question is submitted**. Rather than identifying a context in which a question is submitted, Culliss determines personal data of a user based on the interests and activities of the user. Culliss "utilizes personal data to further refine search results." (Culliss, col. 3, lines 12-13). The personal data used by Culliss to refine search results is entirely different than, and separate from, a context in which a question is submitted by a user. Moreover, Culliss' personal data of a user has nothing to do with, nor does it include, a **location from which a question is submitted** or information about a **system from which a question is submitted**. As described in col. 3, lines 13-34, Culliss' personal data includes "demographic data, psychographic data, personal interest data [and] personal activity data." None of these types of personal data can be said to include a location or information about a system from which a question is submitted. Furthermore, Culliss' purpose is to provide refined search results that are personally relative to a **user** which has entered a search query. Accordingly, Culliss has no reason to identify a context in which a question is submitted. Applicants assert that none of the cited art, whether considered alone or in combination with Culliss, teach this feature of Applicants' claim.

Further in regard to claim 33, the cited art fails to teach or suggest *in response to identifying the operational context for the question, determining a category for the question, wherein the category is determined dependent upon the identified operational context.*

The Examiner cites col. 4, lines 25-26 and 50-58 of Culliss. The cited passages of Culliss describe inferring "items of personal data" for a user from a history of the user's search requests or article viewing habits. Culliss explicitly describes that the user's items of personal data are determined based on key words which are <u>detected in the **user's** activity</u>. In contrast to Culliss, Applicants' claim recites determining a category dependent on an identified <u>operational context in which a **question** is submitted</u>, where the operational context includes one or more of a location from which the question is submitted or information about the system from which a question is submitted. Determining keywords based on user activity is not the same as determining a category dependent on an operational context in which a question is submitted. Moreover, the key words of Culliss do not include one or more of a location from which the question is submitted or information about the system from which a question is submitted. The key words of Culliss are merely terms within user search queries or articles viewed by the user that are used to characterize the interests of the user. Furthermore, the key words of Culliss are not determined <u>in response to</u> identifying the operational **context** in which a **question** is submitted. Culliss determines keywords of user activity in response to user activity, not in response to identifying an operational context in which a question is submitted. Applicants assert that none of the cited art, whether considered alone or in combination with Culliss, teach this feature of Applicants' claim.

For at least the reasons above, the rejection of claim 33 is unsupported by the cited art and removal thereof is respectfully requested.

Independent claims 44, 45, 51, 53, 54 and 55 recite limitations similar to those discussed above regarding claim 33, and were rejected using similar reasoning. Therefore, the arguments presented above apply similarly to these claims.

Further in regard to claim 33, the cited art fails to teach or suggest *retrieving a result for the question, wherein the category and the question are both used to retrieve the result.*

The Examiner cites col. 5, lines 49-52 and col. 9, lines 39-45 as teaching this feature of Applicants' claim. Culliss, at col. 5, lines 49-52, describes, "the search request and the user's personal data are combined to form groupings ... Articles associated with these groupings are then retrieved from the index ...." In other words, Culliss retrieves search results based on a **user's personal data** and the user's search request. In contrast to Culliss, Applicants' claim recites retrieving a result for a question using both the question and a category for the **question**, which is determined dependent on the **context in which the question is submitted**. As described above, a user's personal data is **not** the same as a **context** in which a question is submitted. Accordingly, Culliss does not teach or suggest retrieving a result using both a question and a category for the question which is dependent on the **context in which the question is submitted**. Applicants assert that none of the cited art, whether considered alone or in combination with Culliss, teach this feature of Applicants' claim.

For at least the reasons above, the rejection of claim 33 is unsupported by the cited art and removal thereof is respectfully requested.

Independent claim 44 recites limitations similar to those discussed above regarding claim 33, and was rejected using similar reasoning. Therefore, the arguments presented above apply similarly to claim 44.

Further in regard to claim 33, the cited art fails to teach or suggest *based on the result, determining whether the question is an answered question or an*

unanswered question, and if the question is an <u>unanswered</u> question, storing the normalized unanswered question in association with tracking data for the normalized unanswered question, wherein the tracking <u>data indicates that the normalized unanswered question was not answered</u>.

The Examiner admits that Culliss does not teach or suggest unanswered questions and relies on Suzuki, citing col. 4, line 66 – col. 5, line 13 of Suzuki. While Suzuki mentions a question which does not have a corresponding answer stored in an answer database, Suzuki does not teach or suggest storing the **unanswered** question, much less storing the unanswered question with tracking <u>data that indicates that the unanswered question was **not answered**</u>. In fact, in contrast to Applicants' claim, Suzuki actually teaches storing **answered** questions. Suzuki describes, in the cited passage, determining whether an answer to a question is stored in an answer database. Suzuki further describes, in the cited passage, that if no answer to the question is stored in the answer database, <u>creating an **answer** to the question</u> and storing the question in a question/answer file. Upon creating an **answer** to a question in Suzuki's system, the question becomes an **answered question**. Suzuki does not disclose leaving a question unanswered and storing the unanswered question without creating an answer for the unanswered question. Accordingly, Suzuki stores **answered** questions. Furthermore, Suzuki does not disclose tracking data which <u>indicates that an unanswered question was **not answered**</u>. Suzuki, in Figure 2, clearly illustrates the data that is stored for a question. Neither Figure 2, nor any passage of Suzuki, describes any sort of tracking data that indicates that a question is unanswered. Moreover, as described above, Suzuki does not store unanswered questions. Therefore, it would not make sense for Suzuki to store tracking data that indicates that a question is unanswered. Applicants assert that none of the cited art, whether considered alone or in combination with Suzuki, teach this feature of Applicants' claim.

Further in regard to claim 33, the Examiner's proposed combination of Culliss, Suzuki and Machiraju does not result in Applicants' claimed invention. To establish *prima facie* obviousness of a claimed invention, all claim limitations must be

taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. As discussed above, the cited art does not teach or suggest all limitations of Applicant's claim, whether taken separately or in combination. Specifically, the cited art does not teach or suggest the following features of Applicants' claimed invention: 1) identifying a **context** in which a <u>**question is submitted**</u>, wherein the context comprises one or more of a <u>**location** from which the question is submitted</u> and information about a <u>**system** from which the question is submitted</u>; 2) determining a category dependent on the identified <u>context</u>; 3) retrieving the result for a question using both the question and a **category** for the question which is determined dependent on the <u>**context** in which the question is submitted</u>; and 4) if the question is **unanswered**, storing the **unanswered** question, much less storing the unanswered question with tracking data that <u>indicates that the unanswered question was **not answered**</u>. Accordingly, the Examiner has failed to establish a *prima facie* case of obviousness.

For at least the reasons above, the rejection of claim 33 is unsupported by the cited art and removal thereof is respectfully requested.

Further in regard to claim 44, the cited art fails to teach or suggest *if the at least one question comprises an unanswered question, logging the unanswered question using a tracking module, the tracking module being configured to identify a plurality of <u>frequently asked unanswered</u> questions and to generate a request for an answer to each of the plurality of <u>frequently asked unanswered questions</u> and providing an authoring module configured to receive input, wherein the input is used to answer one or more of the <u>frequently asked unanswered questions</u>.*

Note that Applicants' claim recites **identifying** a plurality of <u>**frequently asked unanswered questions**</u>, generating a request for an answer to each of the plurality of <u>**frequently asked**</u> **unanswered questions**, and an authoring module configured to receive input used to answer one or more of the <u>**frequently asked**</u> **unanswered questions**. None of the cited references teach or suggest identifying **unanswered**

questions that are **frequently asked**, much less any mechanism to generate requests for answers or receive input for answers to such frequently asked unanswered questions.

The Examiner admits that Culliss and Suzuki do not teach a plurality of frequently asked unanswered questions and relies on Machiraju. The Examiner asserts that col. 7, lines 1-8 and col. 2, lines 3-11, 30-40 of Machiraju teach identifying a plurality of frequently asked unanswered questions. The cited passages of Machiraju describe an "FAQ system [which] allows users to contribute answers to their own or other users' questions." While Machiraju mentions user questions which are not answered within the FAQ system, Machiraju does not teach or suggest identifying a plurality of **unanswered questions** that are **frequently asked**. Machiraju merely describes a system in which a user may link a question, which does not currently exist in a database, to a section of a document which provides an answer to the question. The user's question and the link to the answer are then added to the database. Upon addition to the database, the user's question is an answered question, as the user has identified an answer and linked the answer to the question. Machiraju's system does not identify **unanswered** questions that are **frequently asked** by users. Rather, Machiraju merely stores answered questions and the corresponding answers in a database and provides a mechanism for individual unanswered questions to be answered and added to the database. Machiraju's system is not capable of identifying **unanswered** questions that have been **frequently asked** by users, as Machiraju does not describe any sort of tracking or identification of unanswered questions, much less the frequency in which such unanswered questions have been asked by users.

Applicants note that the Examiner has not provided any remarks in the present Office Action directed to Applicants' claim language which recites *generate a request for an answer to each of the plurality of frequently asked unanswered questions and providing an authoring module configured to receive input, wherein the input is used to answer one or more of the frequently asked unanswered questions.* Thus, a *prima facie* rejection has not been stated. Applicants assert that none of the cited references, considered alone or in combination, teach or suggest unanswered questions that are

frequently asked. Accordingly, none of the cited references are capable of generating a request for an answer to such frequently asked unanswered questions or receiving input to answer such frequently asked unanswered questions.

Further in regard to claim 44, the Examiner has not established a proper reason to combine the teachings of the cited art. The Examiner asserts it would have been obvious to combine the teachings of Machiraju with the teachings of Culliss and Suzuki because Machiraju's teaching of identifying a plurality of unanswered questions would provide ease of use for a user in their systems by providing frequently asked questions linked with answers that are related to the unanswered questions of the user. However, Suzuki already contains a method for answering user questions that do not have answers available in a database of answers. Suzuki instructs "not-yet answered case processing unit 160 to create an answer … and also stores that question in the question/answer file." Suzuki, col. 5, lines 9-11. Accordingly, there is no reason or motivation for one skilled in the art to combine Machiraju with Suzuki in the manner proposed by the Examiner. Furthermore, the combination of the references does not result in Applicant's claimed invention. As discussed above, the cited art does not teach or suggest all limitations of Applicant's claim, whether taken separately or in combination. Specifically, the cited art does not teach or suggest identifying a plurality of **frequently asked unanswered** questions. Accordingly, the Examiner has failed to establish a *prima facie* case of obviousness.

For at least the reasons above, the rejection of claim 44 is unsupported by the cited art and removal thereof is respectfully requested.

In regard to claim 45, the cited art fails to teach or suggest *a context/category module configured to convert a request context to the category, wherein said conversion comprises:* <u>*searching one or more stored context-to-category maps*</u> *to locate the request context in the one or more stored context-to-category maps, determining a stored category associated with the located request context in the one or*

more stored context-to-category maps, and assigning the stored category to the category.

The Examiner relies on col. 3, lines 30-35 of Culliss to teach converting a request context to a category. As described above in regard to claim 33, Culliss merely determines personal data of a user based on data stored for the user and activities of the user. Culliss describes analyzing user data such as "age, gender, geographic location ... attitudes, values, lifestyles ... search requests entered, previous or current site visits ..." to classify the personal data of the user. In contrast to Culliss, Applicants' claim recites searching one or more stored context-to-category maps to convert a request context, in which a request for assistance is submitted, to a category. The user data analyzed by Culliss is clearly not a context-to-category map. Culliss' user data is merely data associated with a user or data observed from activities of the user. Culliss does not teach a context-category map that associates categories with request contexts in which requests for assistance are submitted. Accordingly, Culliss cannot be said to search one or more stored **context-to-category maps** to convert a request context to a category. Applicants assert that none of the cited art, whether considered alone or in combination with Culliss, teach this feature of Applicants' claim.

Further in regard to claim 45, the cited art fails to teach or suggest *a statistics module adapted to return to the suggestion module a* <u>*most*</u> *frequently asked question for the* <u>*category*</u> *associated with the request, wherein the* <u>*most*</u> *frequently asked question is selected from a plurality of frequently asked questions for the* <u>*category*</u> *... wherein the suggestion module is further adapted to respond to the request with the question and answer pair, wherein the question and answer pair includes the* <u>*most*</u> *frequently asked question, and wherein the question and answer pair is selected dependent on the* <u>*category*</u> *and the frequency information.*

The Examiner cites col. 9, lines 39-47 and col. 10, lines 6-30 of Culliss. The cited passages of Culliss describe suggesting additional key words or queries that are related to a user's search query in an effort to refine the user's search query. Applicants' claim

recites returning a **most** frequently asked question for a **category** associated with a request for assistance. In contrast to Applicants' claim, Culliss merely provides additional search queries. Culliss does not disclose the additional search queries as **frequently asked** questions, nor does Culliss disclose any one search query as a **most** frequently asked question. Moreover, a search query of Culliss is not a most frequently asked question for a **category** associated with a request for assistance, which is converted from a context in which the request for assistance is submitted. As described above, in regard to claim 33, Culliss does not teach or suggest a context in which a request is submitted, nor converting such a context to a category. Furthermore, a search query of Culliss is not selected from a plurality of frequently asked questions for a **category**. The search query of Culliss is merely selected based on a similarity of terms between a user's search query and other search queries. Culliss' search query is not a **most** frequently asked question, does not have a **category** converted from a context in which a request for assistance is submitted, and is not selected from a plurality of frequently asked questions for the category. Accordingly, Culliss, whether considered alone or in combination with the other cited references, cannot be said to teach or suggest this feature of Applicants' claim.

The Examiner admits that Culliss does not teach a question and answer pair and relies on Machiraju. Machiraju merely describes displaying a list of questions which match a user's question. Machiraju's displayed questions are linked to corresponding answers. While Machiraju mentions question and answer pairs, Machiraju does not teach or suggest a question and answer pair that includes a **most** frequently asked question. Machiraju may mention frequently asked questions (FAQs), but Machiraju does not disclose a **most** frequently asked question. Machiraju merely displays a list of similar questions that have been previously asked and makes no distinction of any particular question, or questions, that have been asked **most frequently**. Moreover, Machiraju does not select a question and answer pair dependent on a **category** associated with a request for assistance, which is converted from a context in which the request for assistance is submitted. Machiraju does not teach or suggest any sort of category converted from a context in which a request for assistance is submitted, much less using such a category to

select a question and answer pair. Accordingly, neither Culliss nor Machiraju, whether considered alone or in combination with the other cited references, teach or suggest this feature of Applicants' claim.

For at least the reasons above, the rejection of claim 45 is unsupported by the cited art and removal thereof is respectfully requested.

In regard to claim 51, the cited art does not teach or suggest *a statistics module configured to provide a question and answer pair based on a __most__ frequently asked question associated with the at least one __category__.*

The Examiner admits that Culliss and Suzuki do not teach a question and answer pair and relies on Machiraju to teach the above limitation of Applicants' claim 51. (Office Action, December 18, 2009, p. 16, section 45). The Examiner cites col. 5, lines 15-25 and element 15 of Fig. 1 of Machiraju. However, the cited passages of Machiraju merely describe presenting a list of questions and storing the questions in a database as complete questions (exactly as entered by the user) and as abbreviated questions with "stop words" removed. The cited passages of Machiraju have nothing to do with providing a question and answer pair based on a **most** frequently asked question associated with the at least one **category**. As described above in regard to claim 45, Machiraju does not disclose a **most** frequently asked question, much less a **most** frequently asked question associated with a **category**. Machiraju may mention frequently asked questions (FAQs), but Machiraju does not disclose a **most** frequently asked question. Machiraju merely displays a list of similar questions that have been previously asked and makes no distinction of any particular question, or questions, that have been asked **most frequently**. Moreover, Machiraju does not associate a most frequently asked question with a **category** which is converted from a context in which a question is submitted. Accordingly, Machiraju, whether considered alone or in combination with the other cited references, cannot be said to teach or suggest this feature of Applicants' claim.

In regard to claim 51, the cited art does not teach or suggest *wherein for each of a plurality of requests, based on a request type of the request, the program logic is configured to select one of the question module, the suggestion module, and the authoring module to handle the request.*

The Examiner cites col. 9, lines 39-47 of Culliss as teaching this feature of Applicants' claim. However, the cited passage of Culliss describes suggesting additional key words or queries that are related to a user's search query in an effort to refine the user's search query. Neither this passage, nor any other passage of Culliss teaches or suggests selecting a particular module to handle a request based on the type of the request, much less selecting one of a question module is configured to return the answer in response to a question, a suggestion module configured to provide the question and answer pair in response to a request for assistance, and an authoring module configured to identify an unanswered question and receive answer data for the unanswered question. The Examiner admits that Culliss does not teach an authoring module and relies on Suzuki. The Examiner asserts that Machiraju teaches a suggestion. However, Suzuki nor Machiraju select a particular module to handle a request based on a type of request. Applicants assert that none of the cited art, whether considered alone or in combination, teach or suggest this feature of Applicants' claim.

For at least the reasons above, the rejection of claim 51 is unsupported by the cited art and removal thereof is respectfully requested.

In regard to claim 53, contrary to the Examiner's assertion, the cited art fails to teach or suggest *identifying one or more most frequently asked questions that are associated with the one or more categories and displaying the identified one or more most frequently asked questions.*

The Examiner admits that Culliss does not teach identifying and displaying most frequently asked questions and relies on Warthen, citing col. 3, lines 41-51, col. 5, lines 15-25, and col. 6, lines 1-8 of Warthen. (Office Action, December 18, 2009, p. 7, section

17). The cited passage of Warthen at col. 3, lines 41-51 describes creating a template question from a user question. The template question is mapped to an answer in a question-answer mapping table, which is used to construct a question display page. The cited passage of Warthen at col. 5, lines 15-25 describes a "question of the day" generator which chooses a particular asked question to display. The cited passage of Warthen at col. 6, lines 1-8 describes processing template questions (i.e., creating instantiated questions) such that the template questions can be located in the question-answer mapping table to obtain answers to the questions. The cited passages of Warthen describe manipulating a user question in order to locate an answer to the question in a question-answer mapping table. This has nothing to do with identifying one or more **most frequently asked** questions associated with one or more categories. While Warthen does describe choosing a "question of the day," Warthen does teach or suggest that the "question of the day" is a **most frequently asked** question. Rather, Warthen explicitly describes selected questions as "random sampling" or "popular questions in specific categories." Warthen, col. 5, lines 23-24. Warthen simply does not teach identifying one or more **most frequently asked** questions, much less one or more **most frequently asked** questions that are associated with one or more categories. Moreover, since Warthen does not identify one or more **most frequently asked** questions, Warthen cannot display such **most frequently asked** questions. Applicants assert that Warthen, whether considered alone or in combination with the other cited references, does not teach or suggest this limitation of Applicants' claim

For at least the reasons above, the rejection of claim 53 is unsupported by the cited art and removal thereof is respectfully requested.

Independent claim 54 recites limitations similar to those discussed above regarding claim 53, and was rejected using similar reasoning. Therefore, the arguments presented above apply similarly to claim 54.

In regard to claim 55, contrary to the Examiner's assertion, the cited art fails to teach or suggest *identifying one or more frequently asked unanswered questions*.

The Examiner cites col. 7, lines 1-8 and col. 2, lines 3-11, 30-40 of Machiraju. As described above in regard to claim 44, the cited passages of Machiraju describe an "FAQ system [which] allows users to contribute answers to their own or other users' questions." While Machiraju mentions user questions which are not answered within the FAQ system, Machiraju does not teach or suggest identifying a plurality of **unanswered questions** that are **frequently asked**. Machiraju merely describes a system in which a user may link a question, which does not currently exist in a database, to a section of a document which provides an answer to the question. The user's question and the link to the answer are then added to the database. Upon addition to the database, the user's question is an answered question, as the user has identified an answer and linked the answer to the question. Machiraju's system does not identify **unanswered** questions that are **frequently asked** by users. Rather, Machiraju merely stores answered questions and the corresponding answers in a database and provides a mechanism for individual unanswered questions to be answered and added to the database. Machiraju's system is not capable of identifying **unanswered** questions that have been **frequently asked** by users, as Machiraju does not describe any sort of tracking or identification of unanswered questions, much less the frequency in which such unanswered questions have been asked by users.

Applicants also assert that numerous other ones of the dependent claims recite further distinctions over the cited art. Applicants respectfully traverse the rejection of these claims for at least the reasons given above in regard to the claims from which they depend. However, since the rejections have been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time. Applicants reserve the right to present additional arguments.

CONCLUSION

Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/6067-16203/RCK.

Respectfully submitted,

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